

TEATER ASKS FOR COUNT OF BALLOTS

As Stub Books Show Discrepancies In Votes Counted In His Race and Total Voted

The only contest resulting from the recent county election in Madison county was filed in circuit court this week by Otis Teater, democratic candidate for magistrate in the 8th district. On the face of the returns, James Jones republican candidate, received three more votes than Teater in the five precincts in the district. However, an inspection of the ballot stubs shows that in Biggerstaff precinct there were eight more votes certified by the election officers as having been cast for both Teater and Jones jointly than the stub books and certificate of the election officers show to have been voted in the election in that precinct. This and other grounds are cited by Teater in his petition asking that the court order the ballot boxes opened in the five precincts of Biggerstaff, Jones, Poosey, Newby and Valley View, and a correct count made to determine who was elected. The petition as filed for Mr. Teater by his attorneys, J. J. Greenleaf, John Noland, Chenaunt and Chenaunt, is of interest because of the closeness of the vote in that magisterial district and the interest aroused in the exciting race between Teater and Jones. The petition reads as follows:

Madison Circuit Court.
Otis Teater, Plaintiff.

vs. James Jones, Defendant.

Plaintiff states that at the regular election held on November 8, 1921, he was the regular candidate and nominee of the Democratic party for the office of Magistrate in the Eighth Magisterial District, composed of Jones, Newby, Poosey, Valley View and Biggerstaff precincts in Madison county, Ky., and that, as such nominee, his name appeared as a candidate for said office under the emblem of the Democratic party, the rooster. Plaintiff states that he was at said time over the age of twenty-one years and in all other respects duly qualified candidate for said office.

That at said election, the defendant, Jones, was a regularly nominated and duly qualified candidate for the same office, as the Republican nominee, and that his name appeared upon the ballot as such candidate under the Republican device, the log cabin.

Plaintiff states that at the time and place required and designated by law, the Madison County Board of Election Commissioners duly and legally met and canvassed the returns of said election between plaintiff and defendant, and certified the result of said election as having been in favor of defendant by three votes, and that plaintiff received 666 votes, and defendant 669 votes, and that pursuant to said count and certification, did issue to defendant on the 18th day of November, 1921, a certificate of election to said office.

Plaintiff states that the number of votes returned by the election officers in their official certificates, and upon which certificates the County Board of Election Commissioners based their final action, as having been cast for defendant and plaintiff respectively is not true, and does not correspond to the number of votes actually cast for said parties, as shown by the ballots returned; that said certificates of election officers are not true statements of the facts as they appear, and did at the close of the election appear, by the ballots themselves. Said certificates state a great many more votes were cast for defendant than were actually cast for plaintiff, and that a great many less votes were cast for plaintiff than were actually cast for him; all of which will appear, and can only be made to appear, from an inspection of the said ballots.

Plaintiff avers particularly that in Biggerstaff precinct there were eight more votes certified by the election officers as having been cast for plaintiff and defendant jointly than the stub books and certificate of the election officers as to the total number of ballots voted in said election shows were voted in said election at all. That in each of the other precincts there were incorrect

The Weather
Unsettled tonight and Wednesday colder.

Today's Livestock Markets
Cincinnati, Nov. 22—Cattle quiet and steady; hogs 25c lower; Chicago 15c lower.
Louisville, Nov. 22—Cattle 400, hogs 1,600; sheep 100; all steady and unchanged.

OPEN DIPLOMACY PROVES ILLUMINATING

Diplomats Can Tell About What Will Happen At Arms Conference So Far

(By Associated Press)

Washington, Nov. 22—Opinions have been exchanged with such unprecedented directness experienced diplomats believe they can see almost with precision what will and will not happen as a result of the arms conference. They say indications point to an agreement on naval reduction. A plan is near at hand on all except details. Conviction has been quickened that adoption of a set of principles like the four agreed upon yesterday will be the outcome of the far Eastern negotiations, while the whole question of land armaments appears pretty well settled by France's frank declaration.

There remains then only the important question of fortifications on which there has been no expression but which may come to the front when a delineation of principles relating to the far East has gone far as seems possible.

Consideration of far Eastern problems was renewed today by delegates of the nine nations sitting again as a committee of the whole. In the main the discussion is following the lines of the "ten points" suggested by China whose delegates hope in end that most of these points will be translated into actual agreement on policy.

SALES MEN—57 miles per gallon made with our new patented gasoline vaporizer. Write for particulars. Stransky Vaporizer Co., Pukwana, S. D.

certificates of the result of the number of votes actually cast for plaintiff and defendant, respectively; all of which will appear, can only be made to appear, from an inspection of the said ballots.

Plaintiff states that all ballots cast in said election and the ballot boxes, stubs, certificates and other election paraphernalia have been legally and properly delivered and preserved by the officers therewith charged by law, since said election, and that an inspection of same will show the true result of the said election; and plaintiff asks that every ballot cast in said election between plaintiff and defendant on November 8, 1921, and returned as part of the election returns, be examined, and that a comparison be made between said ballots and the official return from every precinct where said ballots were cast and that same be re-counted by the court and a true determination be made of the winner or loser in said election.

Wherefore, plaintiff prays that this court shall order the clerk of the Madison County Court to deliver up to it the ballots, ballot boxes, stub books, certificates and all other paraphernalia used in said election, and that the entire number of ballots cast for plaintiff and defendant be inspected and counted by the court; that the foregoing votes of the specified illegal voters cast for defendant be deducted from the total number of votes received by defendant; that if the number of ballots in Biggerstaff precinct is shown to be greater in number than the ballots shown by the stub book to have been legally cast in said election, and that by reason thereof, the court is unable to determine the legal number of ballots cast respectively for plaintiff and defendant at said election, that the votes of entire precinct in said election be thrown out and not counted for either party; that he be declared elected as Magistrate in the 8th Magisterial District in Madison county and permitted to qualify for, and hold, said office; for his costs herein, and for all proper and general relief in every aspect of the case. OTIS TEATER.

PEYTON H. SMITH KILLED IN ARIZONA

Former Popular Richmond Boy Meets Tragic Death At Railroad Crossing

For the third time within a year the Death Angel has visited the family of the late Dr. J. Addison Smith, who was the beloved pastor of the First Presbyterian church at Richmond for a number of years. Friends of the family were grieved to learn of the tragic death at Phoenix, Arizona, on Nov. 11th, of Peyton H. Smith, Dr. Smith's son, who was killed at a railroad crossing in Phoenix, Arizona, on Nov. 11th, and his daughter, Mrs. Dean Holland, died at Culpeper, Va., within the space of a twelve-month.

Peyton Smith was so popular here as a young man while his parents made this their home that all will read what the Murfreesboro paper said of the accident in which he lost his life:

"Called to stack arms at his

Great Commander's feet on Armistice Day."

This was the sudden summons which came to one of our own loved boys, Peyton Houston Smith, son of the lamented Dr. J. Addison Smith, in tragic death at a railroad crossing in Phoenix, Arizona, his adopted home. The it is shocking, it gives food and inspiration for serious thought in connection with the splendid life and character of this young man of christian birth and rearing, who had been faithful to every duty and task which came to him to face and endure. Hence it is that Armistice Day, freighted with tidings of great joy through the world three years ago, in its recurrence this year 1921, brings sad tidings to the host of friends and admirers of this fine young soldier, who met his death on this hallowed day. This shocking news came in a telegram to his sister, Miss Eva Lewis Smith, a member of the music faculty of Tennessee college, whose great sorrow and grief is generously and sympathetically shared in by all citizens of our fair city and county.

The deceased is survived by his mother, Mrs. J. Addison Smith, of Morgantown, W. Va.; two sisters, Miss Eva Lewis Smith, of this city, and Miss Lucille Smith, of Morgantown, and one brother, Dr. Herbert Smith, of Los Angeles, Cal. The latter went immediately to Phoenix to attend the funeral and burial which took place in that city on Monday afternoon, conducted by Dr. Odell, of the First Presbyterian church, pastor of the deceased. The burial services were in charge of the American Legion and the bar association, and the Baraca class acted as pallbearers.

Peyton Smith was a young man of fine christian character and brilliant mind and attainments. He was a Vanderbilt student, having graduated in law from that notable institution. He served his country overseas in the late war, taking his degree after his return. He immediately went to Phoenix and entered upon the practice of law and was meeting with extraordinary success.

The details of his untimely and tragic death are thus detailed by a Phoenix paper:

Peyton H. Smith, junior member of the law firm of Cox & Smith, of Phoenix, was instantly killed Friday afternoon when the automobile in which he was riding was struck by train No. 42 of the Arizona Eastern railway at the grade crossing one mile south of Acre City. J. J. Cox, senior member of the firm, and driver of the automobile, was severely injured and is in a critical condition at St. Joseph's hospital.

The accident occurred about 3 o'clock in the afternoon. Mr. Cox and Mr. Smith were driving north across the railroad tracks on the road which leads into Acre City. They had turned off the Henshaw road to the crossing when the engine pilot struck the car. The train, a mixed one from Chandler, was proceeding west to Phoenix. The pilot of the engine struck the rear end of the automobile, turning it over and throwing the occupants out.

According to G. T. Stewart, fireman on the engine, he saw the automobile when the engine was but a short distance from the crossing and told the engineer to stop. The latter shut off the

steam and threw on the emergency brakes. A second later the right side of the pilot struck the car. The train was traveling at about 36 miles an hour at the time of the accident.

After bringing the train to a stop, the crew placed Mr. Cox and the body of Mr. Smith on the train and brought them to Phoenix.

Peyton H. Smith was about 32 years of age and was born in Tennessee. He was a member of the American Legion and was dressed in his uniform at the time of his death. He participated in the Armistice Day parade yesterday morning. He enlisted in the regulars on May 11, 1918, and was discharged May 12, 1921. He served about nine months overseas. He came to Phoenix shortly after receiving his discharge and about a year ago became the partner of Mr. Cox. Mr. Smith was a graduate of the Vanderbilt law school and was considered one of the ablest of the junior members of the Maricopa county bar association. Recently he appeared before the supreme court and received high praise from that body for his work. He was well liked by his colleagues and had a host of friends in Phoenix. He was unmarried and lived at 1109 North Central avenue.

WESLEY GRINSTEAD
DIES IN CALIFORNIA

Friends here have received news of the death of Mr. Wesley Grinstead, who formerly lived at Waco and is widely connected here. He moved to California a good many years ago. The Pomona, California, paper says:

Funeral services for Wesley Grinstead, who died yesterday at his home at 144 San Francisco street, will be held at 2:30 o'clock tomorrow afternoon in the First Baptist church. Dr. J. Harvey Deere having charge of the service. The G. A. R. will attend the funeral service in a body and will have charge of the services at the Pomona cemetery.

Mr. Grinstead was born June 1, 1840, lacking two days of being 81 years and five months old. He enlisted in the Union army when he was 21 years old and served thru the whole war. He was first married at the age of 29 to Josephine Harris. He was married the second time in 1890 to Mrs. Elizabeth Jones. His third wife, whom he married in 1917, and who survives him, was Mrs. Hattie C. Hendley. He was the father of two sons and two daughters, only one of whom, Mrs. Lillian Frohman Barber, of Co. Va., survives him.

He was conveyed at the age of 35 at Waco, Kentucky, and joined the Baptist church at that place. To the time of his death he was a devoted and active member of the church. Of his large family of nine brothers and sisters, Mr. Grinstead is survived by two brothers and two sisters: John Grinstead, of Lexington, Missouri; William Grinstead, of Somerset, Kentucky; Miss Lottie Armstrong, of Texas; and Mrs. Annie Lewis, of College Hill, Kentucky.

MORNING SERVICE
THANKSGIVING DAY

The annual Thanksgiving service will be held at First Baptist church Thursday morning at 10:30. Dr. W. O. Sadler, of the Methodist church, will deliver the address. A special musical program has been arranged and everybody is invited to attend this service.

Attention, Knights Templar
There will be work in Red Cross and Temple degrees November 23, beginning at 4:30 p. m. All officers and Knights requested to be present.—N. Harber, Commander.

Today's Produce Prices
Quoted and paid by Renaker Brothers.

Eggs 55 cents doz.
Hens 13 cents lb.
Turkeys 30 cents lb.
Cocks 7 cents lb.
Geese 14 cents lb.
Ducks 15 cents lb.
Young Guinea 50c head.
Old Guinea 30c head.
Beef Hides 6 cents lb.

PHONE COMPANY GIVES BIG BOND

And Will Continue To Collect War-Time Rates Until Court Finally Decides Case

A temporary restraining order preventing the City of Richmond from putting into effect its recent ordinance requiring the Cumberland Telephone and Telegraph Company to reduce rates here to pre-war figures, was granted by Judge A. M. J. Cochran in federal court at Frankfort Monday.

The phone company gave \$10,000 bond until the case is finally decided on its merits. And by this action, local Manager H. P. Harris was enabled to send out his bills for October at the old rates. Many local subscribers were surprised to receive their bills through mail Monday afternoon, when no news had yet been received here of a decision by the court on the suit brought by the phone company to prevent re-establishment of the pre-war rates.

It is understood that Judge Cochran will go into the merits of the phone company's contention thoroughly, and render his decision after full consideration. In the meantime subscribers must continue to pay the old rates, and in the event that the phone company loses in court, refund will then have to be made to its subscribers of the difference they have paid between pre-war rates and present rates.

MEXICANS FAIL
TO SECURE RANSOM

Washington, Nov. 22—Four Americans were captured late yesterday by Mexican bandits at Santa Eulalia, 22 miles from Chihuahua, the State Department was advised today. After being held for ransom the party was released when the ransom was not forthcoming at the end of four hours. Those captured included Edgar Butts, a mining engineer, Mrs. Butts, William Benham, an American smelting and refining company employee, Miss Mary Long, daughter for former American consular agent at Parana.

HEFLIN AND PENROSE
PASS COMPLIMENTS

Washington, Nov. 22—Senators Penrose and Heflin clashed in the Senate today during consideration of the tax bill. Penrose referred to Heflin's state of Alabama as a state of black darkness and Heflin retorted with the assertion that Pennsylvania is a "state of predatory interests." Their remarks were expunged from the record.

R. C. H. COVINGTON IS
REPORTED VERY LOW

His many friends regret to know that Mr. R. C. H. Covington, prominent business man, is very low at his home on West Main street. He has lost hope of recovery, it is reported, but faces the end with calmness and christian fortitude. Jake Morrow, brother of Mrs. Covington, and Mrs. Morrow, have arrived from their home in Frankfort to be with the family.

DIPHTHERIA FATAL
TO LITTLE GIRL

A mantle of gloom was thrown over that community when it was learned that little Daisy Duncan had passed on at the home of her grandparents, Mr. and Mrs. Asher, at Boonesboro. Little Daisy was a patient sufferer of the dreadful disease diphtheria. She was a very bright child, eight years old, the daughter of Mr. and Mrs. Claude Duncan and her schoolmates and friends of the family extend their heartfelt sympathy in this hour of trouble.

ATTENTION—The Woman's Exchange of the First Presbyterian church will be held Wednesday, Nov. 23rd, in the place of Saturday, the regular day.

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LOUISVILLE BANKS
PLEDGE THEIR FUNDS

To Finance Burley Association, At Important Meeting There Monday

Louisville, Ky., Nov. 22—Banks of Louisville got concretely behind Kentucky's greatest agricultural project Monday when representatives of seven local banks at a meeting held at the Pendergast Club, guaranteed to the finance committee of the Burley Tobacco Growers' Co-operative Marketing Association financial support to the amount of \$1,500,000 as a revolving fund.

The banks represented at the meetings, each of which pledged a part of the guarantee, were the National Bank of Kentucky, the Citizens Union National Bank, the First National Bank, the Liberty Insurance Bank, the Lincoln Savings Bank and Trust Company, the Louisville Bank and the Security Bank.

Charles W. Manning, president of the Security Trust Company, of Lexington, was chairman of the meeting, and James C. Williams, broker, Louisville, was its secretary. Other members of the association's finance committee present were Edward Haslett, president of the Fayette National Bank, Lexington; W. C. Montgomery, banker, Elizabethtown; James N. Kehoe, banker, Maysville; and James McClure, banker, Paris.

Prior to Monday's meeting practically all Louisville banks and all regional divisions of the Kentucky State Bankers' Association had assured the burley men that they would be supported in return for this assurance receiving a pledge that the association's business would be transacted with them as far as possible.

Ultimately Louisville banks and those in the burley belt probably will furnish all the money needed to handle, store and market each year's crop, but because the low tobacco market of last winter depleted the funds of many institutions, it is expected that this year it will be necessary to get money from other sources.

Four sources of credit outside the state had been offered the association prior to Monday's meeting. The Federal Reserve Board has announced that the association's paper will be rediscounted through the system of agricultural paper. The War Finance Corporation has issued a similar ruling. The National Bank of New York, the United States Trust Company, and other Eastern institutions have made bids for the association's business. Cincinnati banks also have been making advances with a view of obtaining the association's loaning account.

PUTTING TOO MUCH
KICK IN NEAR BEER

Washington, Nov. 22—Revocation of scores of brewers' permits for the manufacturing of near beer is said today to be under consideration by prohibition officials who said today that many brewers are making beer with an alcoholic content beyond the legal limit.

NOTICE—Notice is hereby given that application will be made to the Governor for a pardon for Mrs. Lizzie Finney and Miss Florence Turpin. 277 2p

FOR SALE—R. L. Red cockerels: four Bourbon Red gobblers, 12 and 12 Bourbon Red turkey hens. Mrs. Jas. W. Wagers, Waco, C. H. Chenaunt, 269W on Saturday, the regular day. It phone Waco, 24-W.

FOR SALE—Fine Plymouth Rock cockerels sell for \$1.50 each. Mrs. James Willis, phone Mrs. Jas. W. Wagers, Waco, C. H. Chenaunt, 269W on Saturday, the regular day. It phone Waco, 24-W.

TIME YET ON BIG OFFER OF CONTEST

25,000 Bonus Vote For \$30 In Subscriptions End Thursday—Get Busy

This biggest vote offer of the Daily Register subscription campaign will close on Thursday next. It is 25,000 extra votes for each \$30 turned in.

"Now" reversed spells "won"—a broad hint to those subscription workers who are prone to "put off" opportunities when they fall to their lot.

The Daily Register is offering \$2,000 in prizes in addition to commissions in its big circulation campaign.

For several weeks some folks have been "in the contest." We say "in" advisedly, for some of them have not been working very hard—sort of "contest union hours," so to speak, putting in seven hours a day wishing they could "win" and one hour a day actively trying to get subscriptions.

It is not too late to enter and win, if they set now.

NOW is the time to do that work which will make you a winner, not telling your friends "how it all happened" along in December when some one else has won. Truly now is the time to act, for the territory has not even been scratched yet. There are yet hundreds of people who are waiting for some candidate to solicit their subscription.

The three cash prizes offered last week were won by Miss Emma L. Davidson first; Miss Fannie Harris second and Mrs. Ben Edwards third. These three ladies made a favorable report in spite of the sharp competition they were up against and bear in mind this is the last of the 25,000 extra vote period. For each \$30 turned in you are allowed this many votes up until next Thursday afternoon at 5 p. m. Not one of the candidates should fail to secure several of these booster votes.

Below is the standing of the candidates:

How They Stand
Richmond

| | |
|------------------------|---------|
| Charles Nelson | 100,000 |
| Mrs. Georgia Bowman | 125,000 |
| Miss Katherine Jones | 50,000 |
| Miss May Mahaffey | 50,000 |
| Miss Cornelia Martin | 50,000 |
| Mrs. J. H. Chaney | 50,000 |
| Mrs. Ben F. Edwards | 250,000 |
| Mrs. Hiram Baker | 50,000 |
| Miss Irene Butler | 50,000 |
| Miss Lou Wells | 50,000 |
| Miss Emma M. Davidson | 500,000 |
| Miss Jessie Aliman | 50,000 |
| Miss Ethel Lisle | 50,000 |
| Miss Christine Samlin | 55,000 |
| Miss Mattie Jones | 55,000 |
| Mrs. Joe Arnold | 60,000 |
| Miss Mattie White | 60,000 |
| Mrs. George Smith | 50,000 |
| Miss Zula Calico | 50,000 |
| Miss Lillian Oldham | 55,000 |
| Miss Emma K. Cooper | 200,000 |
| Bennie Grindison | 50,000 |
| Theodore Keith | 125,000 |
| Mrs. John Turpin | 275,000 |
| Virgil Lee | 50,000 |
| Miss Maria Ramsey | 450,000 |
| Mrs. Wallace Kanatzar | 200,000 |
| Mrs. D. W. White | 475,000 |
| Miss Fannie Harris | 450,000 |
| Miss Myrtle Dalton | 50,000 |
| Mrs. Hume Tatum | 50,000 |
| Miss Allie Biggerstaff | 50,000 |
| Charles Riley | 50,000 |
| Mrs. E. E. Carrier | 275,000 |

Richmond Route 4

| | |
|-------------------------|---------|
| Miss Edith Kanatzar | 200,000 |
| Miss Amanda Burrus | 190,000 |
| Berea | |
| Mrs. W. B. Wadden | 50,000 |
| Miss Helen Bicknell | 50,000 |
| Miss Irene Randle | 50,000 |
| Miss Esther Rose Spinke | 50,000 |
| Mrs. W. H. Bicknell | 50,000 |
| Emil Anderson | 50,000 |
| Miss Rhoda Witt | 50,000 |
| Miss Edna Peest | 50,000 |
| Bridly Baker | 60,000 |

Kirkville

| | |
|---------------------|---------|
| Miss May Curtis | 50,000 |
| Miss Carrie Todd | 50,000 |
| Mrs. John Turner | 60,000 |
| Miss Esther Perkins | 50,000 |
| Lula Rhodus | 380,000 |

Paint Lick

| | |
|--------------------|--------|
| Mrs. U. M. Burgess | 65,000 |
| Miss Lucy Francis | 65,000 |
| Andrew Guy | 65,000 |

(Continued on Page 2)